

**REMARKS**

Claims 1-24 were pending when last examined. All pending claims are shown in the detailed listing above.

**Specification**

Applicant appreciates the Examiner's suggestion about the format for an application, but note that this format is merely a *preference*. See MPEP § 608.01(a) ("The following order or arrangement is *preferred* in framing the specification..." (emphasis added)). In addition, the Examiner objected to the disclosure of the present Application for various purported informalities. Applicant addresses each of these in turn.

According to the Examiner, "The DETAILED DESCRIPTION OF THE INVENTION section contains most of the information that belongs to the 'Description of Related Art' including information disclosed under 37 CFR 1.97 and 1.98 of the BACKGROUND OF THE INVENTION, example, 'OpenGL is a well-known application program interface...' of page 16." Applicant respectfully disagrees.

The Examiner seems to suggest that any description for something that existed before the filing date of the present Application should be included in the background section of the Specification rather than in the detailed description. This is simply not the case. The patent laws do not in any way require or mandate any such a division. Indeed, numerous U.S. patents have issued with detailed descriptions containing elements which were "well-known" at the time of filing. Applicant directs the Examiner's attention, for example, to USPN 6,343,313 to Salesky et al., which was cited by the Examiner in the pending Office Action. Salesky et al. states in its "DESCRIPTION OF THE PREFERRED EMBODIMENT" section that "Icons and gongs can be created using well-known techniques for creating icons and audio data." See Salesky et al., col. 14, lns. 63-65. As such, this objection made by the Examiner is without merit, and thus, cannot stand.

The Examiner also states, “The BACKGROUND OF THE INVENTION section is insufficient. It should contain details of conference system, OpenGL, DirectDraw, shared applications, etc., for the claimed subject matter.” Again, Applicant respectfully disagrees.

Nothing in the patent laws require the detailed discussion of “conference system, OpenGL, DirectDraw, shared applications, etc.” as indicated by the Examiner. Indeed, the Examiner cannot cite any support for this objection. There is nothing improper about the BACKGROUND OF THE INVENTION section of present Application in its current form. As such, this objection to the Applicant’s Specification should be withdrawn.

Further according to the Examiner, “The DETAILED DESCRIPTION OF THE INVENTION section and all the related sections should use terms ‘presenter client computer’ and ‘viewer client computer’, rather than ‘presenter computer’ and ‘viewer computer’. Appropriate correction is required.” Applicant respectfully traverses.

Again, the Examiner cannot provide any support for, and indeed the patent laws do not require, such a change. The terms “presenter computer” and “viewer computer” are clear and understandable. Why the Examiner believes that these terms should be changed to “presenter client computer” and “viewer client computer,” respectively, is unclear. These latter terms do not appear anywhere in the Specification, Claims, or Abstract of the present Application. The Applicant notes, however, that “presenter client computer” is used in the very reference that the Examiner has cited against Applicant’s claims—i.e., USPN 6,343,313 to Salesky et al. If the Applicant were to follow the Examiner’s suggestion (not that the Applicant intends to do so), elements in the present Application would be referred to by the same names as objects disclosed in the cited reference. Since there is simply no support for this action which the Examiner is now requiring, the objection cannot stand.

The Examiner also states, “The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.” The Examiner goes on to suggest the title of “An improved method to consider overlapping of

non-shared applications over shared OpenGL and DirectDraw applications in a data conference system.” Applicant respectfully disagrees.

The title of the present Application is “Sharing OpenGL Applications Using Application Based Screen Sampling.” Such title *is* descriptive of Applicant’s invention as described and claimed, for example, in Claim 1 which recites in pertinent part “A method for sharing an application.” Moreover, the present title of the Application is more in line with the guidelines of the MPEP than the one suggested by the Examiner. In particular, regarding the title of an application, the MPEP states, “It should be brief but technically accurate and descriptive, preferably from two to seven words and may not contain more than 500 characters.” See MPEP § 608.01(b), ¶ 6.02. Applicant’s title is technically accurate and consists of eight words, which is very close to the preferred range of the MPEP. On the other hand, the title suggested by the Examiner has 21 words total—i.e., three times as many words as the maximum of the MPEP’s recited preferred range. As such, the Examiner’s objection to the title should be withdrawn.

The Examiner also objects to the abstract of the present Application. According to the Examiner, “The abstract of the disclosure is objected to because it is missing computer terminology involved in the invention, for example, data conference system, to periodically capture of a screen shot and to transmit it to the viewer, DirectDraw applications, etc.” Applicant respectfully traverses.

The patent laws do not require an Abstract to contain what the Examiner is indicating. Nor does MPEP § 608.01(b), which is cited by the Examiner to support this objection. 37 CFR § 1.72, the relevant section of the CFR, only states “The purpose of the abstract is to enable the United States Patent and Trademark Office and the public generally to determine quickly from a cursory inspection the nature and gist of the technical disclosure.” The abstract of the present Application in its current form accomplishes this. As such, there is nothing objectionable about the current abstract. The Applicant requests that the objection to the abstract be withdrawn.

**Drawings**

According to the Examiner, “Figures 1, 3A, 5A and 7A should be designated by a legend such as –Prior Art—because only that which is old is illustrated.” Applicant respectfully traverses.

The Examiner mistakenly believes that only prior art is illustrated in these figures. A complete reading of the present Application, however, indicates otherwise. Each of FIGS. 1, 3A, 5A, and 7A illustrate embodiments of Applicant’s invention. This is clear from the “BRIEF DESCRIPTION OF THE DRAWINGS” section of the present Application which recites in pertinent part: “FIG. 1 is a block diagram of an exemplary data conferencing system, *according to some embodiments of the present invention*”; “FIGS. 3A and 3B show a presenter’s computer screen and a viewer’s computer screen, respectively, during a data conference, *according to some embodiments of the present invention*”; “FIGS. 5A and 5B show a presenter’s computer screen and a viewer’s computer screen, respectively, during a data conference, *according to some embodiments of the present invention*”; “FIGS. 7A and 7B show a presenter’s computer screen and a viewer’s computer screen, respectively, during a data conference, *according to some embodiments of the present invention*” (emphases added). As such, contrary to the Examiner’s assertion, FIGS. 1, 3A, 5A, and 7A illustrate more than just the prior art, and accordingly, no correction is required for these figures. They should not be designated with the legend “Prior Art.”

**Claim Rejections - 35 USC § 103**

Claims 1-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Salesky et al. 6,343,313 in view of what the Examiner refers to as “applicant’s admitted prior art (AAPA).” Applicant respectfully traverses.

In rejecting Claims 1, 9, and 17, the Examiner argues that Salesky et al. teaches “determining a position and a size of a non-OpenGL region of a shared application window by monitoring function calls made by the application” and also “determining a position and

a size of an OpenGL region of a shared application window by monitoring OpenGL function calls made by the application.” The Examine also asserts that Salesky et al. teaches “wherein the position and the size of the non-OpenGL region and the position and the size of the OpenGL region define a position and a size of the shared application window (e.g., the presenter selects an area of his or her computer display to be shared (‘capture region’).” But the Examiner readily admits that “Salesky does not specifically teach Open GL API based application.” As such, by the Examiner’s own admission, Salesky et al. cannot teach that which the Examiner argued.

Indeed, Salesky et al. does not disclose or suggest Applicant’s claimed invention. Claim 1 recites, for example, “determining a position and a size of a non-OpenGL region of a shared application window by monitoring function calls made by the application; determining a position and a size of an OpenGL region of a shared application window by monitoring OpenGL function calls made by the application; and ... wherein the position and the size of the non-OpenGL region and the position and the size of the OpenGL region define a position and a size of the shared application window.”

Salesky et al. discloses:

“The presenter selects an area of his or her computer display to be shared (‘capture region’); it need not be a rectangular area. More than one capture region may be selected at a time and multiple regions may overlap. The selection may be made on a screen display, in a memory representation of a display, or in an aliased representation of either; the selection can be changed at any time. If the client has multiple monitors or multiple displays on a single monitor, independent selection can be made for each. A window provided by the presenter client computer’s operating system, or by an application or other program, may be designated as the capture region, and then the capture region can be adjusted automatically if the window is moved or resized. This may be a fixed window, or the capture operation can be set to follow the selection of the current (‘top’ or ‘focus’) window automatically. In a simple embodiment, the presenter selects a rectangular region on the screen (‘capture rectangle’). For efficient transmission, the capture rectangle is broken up into rectangular subregions (blocks) to give good perception of response time. For example, if the presenter has selected all of an 800-by-600-pixel screen display to be within the capture rectangle, then it might be

broken up into twelve 200-by-200-pixel square blocks. If the capture rectangle is later adjusted to be smaller, the blocks are changed to be made up of smaller rectangles, or the capture rectangle is divided into fewer blocks, or both; correspondingly, if the capture rectangle is later adjusted to be larger, the blocks are changed to be larger rectangles or the capture rectangle is divided into more blocks, or both. For efficient handling of blocks, the blocks are preferably kept between 1000 and 4000 pixels in size. As the blocks are updated on the attendee's screen, they are presented from the top row to the bottom row and from left to right within a row.”

Salesky et al., col. 10, ln. 46 through col. 11, ln. 11.

As such, with the system of Salesky et al., the “capture” area for a presenter client computer is defined by either an application or simply a particular rectangular region on the screen. And although more than one capture region may be selected at a time and multiple regions may overlap, there is nothing in Salesky et al. which suggests that the position and size of any particular capture area is defined by the position and size of a first region related to one application and the position and size of another region related to some other application. Thus, there is no teaching or suggestion in Salesky et al. wherein “a position and a size of the shared application window” is defined by “the position and the size of the non-OpenGL region and the position and the size of the OpenGL region.” as required by Applicant’s Claim 1.

Furthermore, what the Examiner refers to as “AAPA,” taken alone or in combination with Salesky et al., does not disclose or teach the elements of Applicant’s Claim 1 which are lacking in Salesky et al. According to the Examiner, “AAPA teaches OpenGL API bases applications.” Even if this is assumed for the sake of argument to be true (not that the Applicant agrees with the Examiner’s characterization of what is admitted prior art), any combination of the “AAPA” with the cited portions of Salesky et al. would still not have a shared application window having a position and size which are defined by “the position and the size of the non-OpenGL region and the position and the size of the OpenGL region.” as required by Applicant’s Claim 1. Accordingly, the cited references do not render obvious Applicant’s claimed invention. Thus, Applicant respectfully submits that Claim 1 is patentable over the cited prior art.

Likewise, Applicant's Claim 9 recites in pertinent part, "determining a position and a size of a non-OpenGL region of a shared application window by monitoring function calls made by the application; determining a position and a size of an OpenGL region of a shared application window by monitoring OpenGL function calls made by the application; and ... wherein the position and the size of the non-OpenGL region and the position and the size of the OpenGL region define a position and a size of the shared application window." And Claim 17 recites in pertinent part, "determining a position and a size of a non-OpenGL region of a shared application window by monitoring function calls made by the application; determining a position and a size of an OpenGL region of a shared application window by monitoring OpenGL function calls made by the application; and ... wherein the position and the size of the non-OpenGL region and the position and the size of the OpenGL region define a position and a size of the shared application window." Claims 9 and 17 are patentable over the cited prior art for at least the same reasons as Claim 1.

In light of the above, Applicant respectfully requests that the rejection of Claims 1, 9, and 17 under 35 U.S.C. § 103(a) be withdrawn and these claims be allowed. Each of Claims 2-8, 10-16, and 18-24 depend from one of Claims 1, 9, and 17 and include further limitations. For at least these reasons, Applicant respectfully requests that the rejection of Claims 2-8, 10-16, and 18-24 under 35 U.S.C. § 103(a) be withdrawn and these claims be allowed.

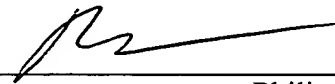
**CONCLUSION**

Applicant respectfully requests that the pending claims be allowed and the case passed to issue. Should the Examiner wish to discuss the Application, it is requested that the Examiner contact the undersigned at (415) 772-1200.

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Respectfully submitted,

By:



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Philip W. Woo  
Attorney of Record  
Registration No. 39,880  
PWW/rp

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SIDLEY AUSTIN BROWN & WOOD LLP  
555 California Street, Suite 5000  
San Francisco, CA 94104-1715  
(415) 772-7200